

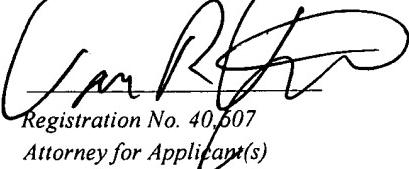
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jon N. Swanson
 Serial No.: 10/730,510
 Conf. No.: 2343
 Filed: December 8, 2003
 For: PRIMARY DATA STREAM
COMMUNICATION
 Art Unit: 2614
 Examiner: Elahee, MD S.

I hereby certify that this paper is being deposited with the United States Postal Service as FIRST-CLASS mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this date.

May 26, 2009

Date


 Registration No. 40,607
 Attorney for Applicant(s)

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Dear Sir:

Patent owner hereby appeals to the Board from the decision of the Primary Examiner mailed February 24, 2009, finally rejecting Claims 1, 3-13 and 15-23, in the above referenced application. The filing fee for the Notice of Appeal of \$270.00 is paid by check attached hereto.

The Commissioner is hereby authorized to charge any additional fees that may be required for this Notice to keep the Application pending, or to credit any overpayment, to Deposit Account No. 07-2069.

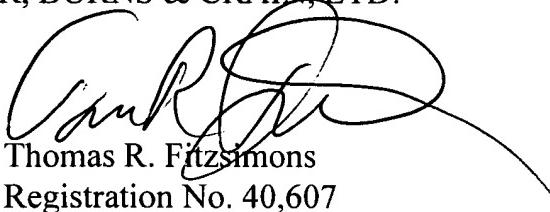
Respectfully submitted,

Customer No. 24978

May 26, 2009
 300 South Wacker Drive
 Suite 2500
 Chicago, Illinois 60606
 Telephone: (312) 360-0080
 Facsimile: (312) 360-9315
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GREER, BURNS & CRAIN, LTD.

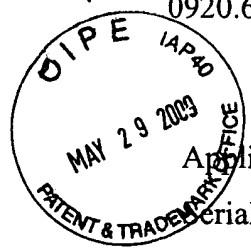
By


 Thomas R. Fitzsimons
 Registration No. 40,607

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Jan R. Schaefer
 Registration No. 40,607
 Attorney for Applicant(s)

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